

**ENVIRONMENTAL PROTECTION AGENCY
REGION 1 - BOSTON**

**CLASS. NO.: 1200
DELEGATION NO.: 14-13-B**

DELEGATION OF AUTHORITY

DATE: 4-10-2017

**COMPREHENSIVE ENVIRONMENTAL RESPONSE,
COMPENSATION, AND LIABILITY ACT**

14-13-B. Concurrence in Settlement of Civil Judicial Actions

1. PURPOSE AND AUTHORITY.

A. Purpose. To redelegate the authorities contained in Delegation 14-13-B issued by EPA Headquarters on January 18, 2017.

B. Authority.

- a. To exercise the U.S. Environmental Protection Agency's concurrence authority in the settlement of civil judicial enforcement actions under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended.
- b. To request the Attorney General (AG) to amend a consent decree issued under CERCLA.

2. TO WHOM REDELEGATED. The Director, Office of Site Remediation and Restoration (OSRR).

3. REDELEGATION AUTHORITY.

A. These authorities may be redelegated to the Branch Chief level, and no further.

B. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

4. LIMITATIONS.

A. The Director, OSRR, or his/her designee, must obtain the advance concurrence of the Manager, Legal Enforcement Office, OES, or his/her designee, on the legal sufficiency of the action before exercising these authorities. The Manager, Legal Enforcement Office, OES, or his/her designee, may waive concurrence in writing.

B. The Director, OSRR, or his/her designee, must obtain the advance concurrence of the Director, Office of Environmental Stewardship (OES), or his/her designee, before exercising

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the authorities in 1.B.a. and 1.B.b. The Director, OES, may waive concurrence in writing.

C. The Director, OSRR, or his/her designee, should exercise these authorities consistent with the most recent version of the *OECA/OSRE CERCLA and RCRA/CWA/UST Roles Chart*, or successor documents, as appropriate.

D. This authority may not be redelegated without the concurrence of the Regional Directives Officer, Human Resources Office, Office of Administration and Resource Management.

E. Only the AA for OECA may exercise these authorities with regard to multi-regional bankruptcy settlements and multi-regional insurance receivership settlements.

5. ADDITIONAL REFERENCES.

A. Sections 104, 106, 107, 109, and 122 of CERCLA.

B. All other applicable EPA Agency guidance and directives.

C. For actions including 31 U.S.C. 3711 and its applicable regulations, see delegations covering claims of the Agency found in Chapter I of this Manual.

D. *OECA/OSRE CERCLA and RCRA/CWA/UST Roles Chart*, or successor documents.

E. Settlements under CERCLA Section 122(g) are covered by Delegation 14-14-E, *DeMinimis Settlements*.

6. SUPERSESSSION. None.


Deborah A. Szaro
Acting Regional Administrator

4/10/17
Date